

August 23.

Captain Anstruther, the senior naval officer, who expressed his approval of what he had done, and he, as I say, was an intermediary between the United States fishermen and the natives there at the Bay of Islands, bringing about a relation of friendship and peace and harmony that was so fortunate.

The United States desires to express, and does express, its profound gratification at the course which Great Britain has pursued in this entire controversy. Realizing the delicacy of its position it is gratifying to know and feel that, in so far as it lay in its power, the action of Newfoundland was restrained and curtailed, and the most definite effort was made to observe His Majesty's obligation under the treaty.

August 23.

SIX GOOD FARES HERE TODAY.

Three Direct From Banks and
Three Via Boston.

Receipts of fish at this port this morning are confined to six fares of fresh mixed fish, three of which came via Boston. The vessels here today, however, have good trips, all of which will go to the splitters and greatly strengthen their replenished stock.

Some of the salt fish fleet remain to arrive, which has been out since spring. Several of the eastern shacking fleet are also due and their catch will doubtless include both salt and fresh fish.

Today's arrivals and receipts in detail are:

Today's Arrivals and Receipts.

Sch. Mary B. Greer, Brown's Bank, 50,000 lbs. fresh mixed fish.
Sch. Sadie M. Nunan, via Boston, 90,000 lbs. fresh mixed fish.
Sch. Walter P. Goulart, via Boston, 50,000 lbs. fresh mixed fish.
Sch. Mary E. Cooney, La Have Bank, 110,000 lbs. fresh mixed fish.
Sch. Buema, La Have Bank, 120,000 lbs. fresh mixed fish.
Sch. Ida S. Brooks, via Boston, 40,000 lbs. fresh mixed fish.
Sch. Massasoit, via Boston.
Sch. Reliance, via Boston.
Sch. N. A. Rowe, via Boston.
Sch. W. H. Reed, via Boston.
Sch. George H. Lube, via Boston.
Sch. Minneola, via Boston.
Steamer Reliance, shore.
Steamer Mystery, shore.

Vessels Sailed.

Sch. Esther Gray, swordfishing.
Sch. George H. Lube, swordfishing.
Sch. Julietta, swordfishing.
Sch. Jennie H. Gilbert, swordfishing.
Sch. Mildred Robinson, shacking.
Sch. Mary F. Curtis, shacking.
Sch. Natalie J. Nelson, shacking.
Sch. Agnes, halibuting.
Sch. Paragon, halibuting.
Sch. Selma, halibuting.
Sch. Arthur D. Story, Georges.
Sch. Olga, Banks, dory handlining.
Sch. Fitz A. Oakes, shore.

Today's Fish Market.

Handline Georges cod, large, \$4 per cwt.; medium, \$3.50.
Trawl Georges cod, large, \$3.75 per cwt.; medium, \$3.25.
Trawl bank cod, large, \$3.35 per cwt.; medium, \$3.
Drift Georges cod, large, \$3.75 per cwt.; medium, \$3.50.
Outside sales of Bank cod, \$3.75 for large and \$3.50 for medium.
Salt cusk, large, \$2.50 per cwt.; medium, \$2.
Salt haddock, \$1.25 per cwt.
Salt hake, \$1.25 per cwt.
Salt pollock, \$1.25 per cwt.
Dory handline cod, large, \$3.75 per cwt.; medium, \$3.50.
Splitting prices for fresh fish:
Western cod, large, \$2.25 per cwt.; medium, \$1.75.
Eastern cod, large, \$1.90 per cwt.; medium, \$1.55; snappers, 60 cts.
Western Bank cod, large, \$2.12 1-2 per cwt.; medium, \$1.65.
Cusk, large, \$1.60 per cwt.; medium, \$1.20; snappers, 50 cts.
Haddock, \$1.10 per cwt.; hake, \$1.10 per cwt.; dressed pollock, 75 cts. per cwt.; round pollock, 70 cts. per cwt.

August 23.

PUSHED SWORD THROUGH DORY.

Grazed Leg of Fisherman, Striking Him in Hip.

Edgar Pye of sch. George H. Lube met with an accident on his last trip that came very near being serious for him. He was hauling on a swordfish when the 300-pound monster dove and rose directly under the stern of the dory. The fish came up with so much force that it pushed its long sword through the bottom of the dory until its nose was flattened against the bottom.

Pye was standing at the stern of the dory, and the long sword grazed his right leg and struck him at the hip, knocking him off his feet. When he chopped off the sword inside the dory he found that several inches of the fleshy part at the base had gone through the boards.

LABRADOR FISHERY A FAILURE.

Serious Situation for 20,000 Newfoundlanders.

Dispatches from Dr. Wilfred T. Grenfell, the Labrador medical missionary, confirm the reports of the probable total failure of the Labrador fisheries this season.

This news portends serious consequences for the 20,000 fisher folk of Newfoundland, who depend upon the Labrador fishing for their living.

St. Pierre Fish Catch.

The total shipment of fish from St. Pierre for the six months ending June 30, 1910:

Dry fish, 1,309,978, or 248,665 kilos more than in 1909. Green fish, 7,120,305, or 907,705 kilos more than in 1909.

Of this quantity of fish 16,919 kilos of dry went to France, and 8,364,059 kilos of dry to the French colonies and foreign countries. The 7,026,380 kilos of green fish all went to France.

August 24.

CAUGHT SUNFISH IN MERRIMAC.

Capture Weighed Between
300 and 400 Lbs.

A huge sunfish, which weighed between 300 and 400 pounds was captured in the Merrimac river, near Eagle Island, off Newburyport on Monday by Henry G. Whitmore, Arthur Stone, Samuel Wear, Charles Bridges, C. Rose Calkins and Andrew L. Bowlen, who were in a power boat.

The fish had been seen to pass up the river and there were reports that it was a shark, as a fin cut the surface of the water as it swam.

When Mr. Whitmore's boat closed in on the monster, it was moving slowly and made an attempt to nose the craft out of the way. The shock was as though the boat had struck a rock. Attempts to get a boathook into the sunfish were useless as the skin was so tough that no impression could be made.

Finally, a soft place was found near the dorsal fin, and a hook in the hands of Mr. Whitmore held. In its struggles to gain its liberty, the fish almost pulled the young fisherman overboard, and the others were obliged to come to his assistance. Another boathook was put in an opening just back of one of the eyes, and the sunfish was helpless although its struggles continued quite a while.

The fish was towed to the wharf of the North End Boat Club, where it was hoisted from the boat. Once the tackle slipped and the weight of the falling fish broke several planks. It was soon wheeled up the wharf and was viewed by a large number, free gratis. For a long time nobody could be found who could tell the nature of the fish, but finally the species was identified.

It was placed on exhibition in a yard near the club wharf and an admission fee charged, quite a sum being taken during the late afternoon and evening.

The sun fish was round as a braided mat with small mouth and eyes, scalloped tail close to the body, dorsal fin and a tough skin that resembled sandpaper in its roughness. It is an unusual visitant in these waters.

August 24 '79

FIVE FISH FARES AT THIS PORT.

One Bank Dory Handliner
Among the Number.

The fishing arrivals at this port this morning comprise two salt codfish fares, one a dory handliner and the other from Georges, both of which go to the Gorton-Pew Fisheries Company, also three fares of fresh mixed fish, two of which came down from Boston, where they were unable to sell at any advantage.

Sch. Victor also arrived during the forenoon from Portland, with 20,000 pounds of salt fish and 5000 pounds of fresh fish, having sold her halibut at that port.

The arrivals and receipts in detail are:

Today's Arrivals and Receipts.

Sch. Gossip, Quero Bank, 225,000 lbs. salt cod.
Sch. Ralph Russell, Georges, 40,000 lbs. salt cod.
Sch. Harriet, via Boston, 40,000 lbs. fresh fish.
Sch. Maud F. Silva, via Boston, 20,000 lbs. fresh fish.
Sch. Evelyn L. Thompson, shore 60,000 lbs. fresh fish.
Sch. Waldo L. Stream, via Portland.
Steamer Bessie M. Dugan, shore.
Sch. Victor, seining, 40 bbis. salt mackerel.
Steamer Bessie M. Dugan, seining, 500 fresh mackerel.
Sch. Victor, via Portland, 20,000 lbs. fresh fish, 5000 lbs. salt fish.

Vessels Sailed.

Sch. Lizzie M. Stanley, shacking.
Sch. Metamora, shacking.
Sch. Sadie M. Nunan, haddocking.
Sch. Emily Cooney, haddocking.
Sch. Mary B. Greer, haddocking.
Sch. N. A. Rowe, shore.
Sch. Minneola, shore.
Sch. Emily Sears, shore.
Sch. Maxine Elliott, dory handlining.
Sch. Juno, halibuting.

Today's Fish Market.

Handline Georges cod, large, \$4 per cwt.; medium, \$3.50.
Trawl Georges cod, large, \$3.75 per cwt.; medium, \$3.25.
Trawl bank cod, large, \$3.35 per cwt.; medium, \$3.
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Cusk, large, \$1.60 per cwt.; medium, \$1.20; snappers, 50 cts.
Haddock, \$1.10 per cwt.; hake, \$1.10 per cwt.; dressed pollock, 75 cts. per cwt.; round pollock, 70 cts. per cwt.

Codfish Sales.

The disposal today of the fares of the late fish arrivals are about confined to one concern, who appear to do most of the buying. The Gorton-Pew Fisheries Company is again at the forefront for they took the fares of sch. Gossip 225,000 pounds of salt dory handline cod; sch. Ralph Russell, 40,000 pounds of salt cod; sch. Harriet, 40,000 pounds of fresh mixed fish and sch. Maud F. Silva, 20,000 pounds of fresh mixed fish. George Perkins & Son secured the fare of sch. Evelyn L. Thompson, 60,000 pounds of fresh mixed fish.

The disposal of the large quantities of fresh fish for splitting gives employment to a number of people at this time about the wharves who would otherwise be idle.

August 24.

HIGHEST PRICE EVER PAID FOR FARE OF SALT MACKEREL.

40-Barrel Trip of Sch. Victor Sold at
\$42.50 Per Barrel.

Fish Are White, Large and Fat and
Well Cared For.

The record price for salt mackerel was reached at this port this forenoon when the fare of sch. Victor, amounting to 42 barrels, were purchased by the Consumers Fish Company at \$42.50 per barrel.

Plenty of fish, big fat mackerel of the finest kind, white as lilies, and in splendid condition, rafts of them, and not a vessel in sight to catch them. "It was wicked," was the remark of Capt. John W. McFarland of sch. Victor.

Sch. Victor secured 42 barrels of those fish, between Chatham and lightship yesterday, brought them to this port, and they were purchased by the Consumers Fish Company, Edward K. Burnham, manager, for \$42.50 per barrel.

Capt. McFarland said the water was alive with the fish, and not a vessel in

sight to take advantage of the splendid opportunity, probably the best that has presented itself this season. He took all he could, and could not get all he and his crew desired because they only had part of their seine with them.

This is the highest price in the history of mackerel sales in this city and no record of any equalling that has been recorded at any port for such a quantity.

Mr. Burnham said the fish were large and fat, white as lilies, and of the finest quality and cared for in the best possible manner. That was why he paid such a big price for them. The fish were vessel rimmed and run about 65 to the barrel.

If any of the rest of the fleet properly equipped should be fortunate enough to run into that big school, a record haul may be expected before many hours have passed.

August 24.

HALIBUT SELLERS DISSATISFIED.

Dealers Gone Back to Purchasing Fish
With Heads On.

Vessel Owners and Captains Threaten to Sell Fish at Portland.

The skippers, crews, and in fact, the owners of the vessels engaged in the fresh halibut fishery, are aroused over the turn of affairs which has been created in reference to the sale of the last halibut fares at this port and Boston.

When Portland, they say, came in as a competitor with Boston and Gloucester in buying halibut, and many of the vessels went to the Maine port and sold their fares there in preference to the older companies, the dealers became aroused over the situation, and as an inducement for the vessels to come here, decided to buy their fish with heads on, while Portland purchased with heads off.

Some of the vessels then left Portland and came to Boston and this port, so that the new regime was not a permanent fixture. Gloucester and Boston buyers discarded the new arrangement and commenced to buy again in the old way, deducting 14 per cent. for heads.

The owners and skippers have been aroused to the situation and it is said made inquiries of the Gloucester buyers why they so suddenly discarded the new method of buying with

heads on. They were informed that the skippers wanted it the old way, and when further questioned who those skippers were, said Capt. Wm. Hermon of sch. Paragon, Capt. Adelbert Nickerson, of sch. Tacoma, and Capt. Daniel McDonald, of sch. Mooween.

This appeared very singular to the Gloucester vessel owners who have no interest in the halibut companies other than to sell their fish to the highest bidder and to the best advantage. The three vessels whose skippers wanted to sell their fish the old way, they say belong to the New England and American Halibut companies.

Two of the leading vessel owners say they will draw up a petition, stating that all halibut shall be sold at Gloucester, Boston and even at Portland, at gross weight without any reduction for heads.

With the exception of the three vessels mentioned, all the rest of the halibut catchers are owned by men outside of the two companies, who say they will not submit to present conditions. The catch is not what it used to be, and so small that Portland can handle all that is caught, and they are satisfied if circumstances warrant to give the Maine port the preference, as was shown by the two big fares there on Monday.

August 24.

MACKEREL OUTLOOK MORE HOPEFUL

Two Fares Landed at This Port and
One at Boston.

The news today from the mackerel seiners is of a cheering nature, sch. Indiana, which sailed from here a few days ago, being at Boston with 5000 large mackerel, which were taken off Chatham, yesterday and sold at 37 cents and sch. Victor, Capt. John W. McFarland, whom everyone thought had gone to North Bay, arrived here today with 40 barrels of large salt mackerel, which were caught in the vicinity of Rose and Crown shoal.

Capt. McFarland reports a good body of fish and would not have come in only to repair his seine, which got badly torn on the shoal ground.

The little steamer Bessie M. Dugan

also arrived with 500 large fresh mackerel which were sold to the Gloucester Fresh Fish Company at 36 cents each. Capt. Vautier took his fish off Chatham, and reports a good body of fish, in fact he says it is the best prospects that he has seen this season.

This cheering news may be the means of others who have all the seining paraphernalia at hand to go out again, as reports from those which arrived today seem to warrant them to give the shore mackerel fishery another trial before the season closes.

The Canadian Fish Bureau of Saturday last reports mackerel fair at Liverpool and that 16 barrels were taken in the traps on that date. At other places from Escuminac to Canso, a few mackerel are being taken by shore fishermen.

August 24.

MANY TRIPS AT T WHARF.

Low Prices Except on Fresh
Cod.

Today is another day of large receipts of fresh fish at Boston, for a big fleet arrived since yesterday morning so that the market is well if not over supplied.

Large and medium cod are the only ground fish that show a firmness while haddock and other commodities show a further decline. Swordfish which is confined to one trip of 37 made an advance over yesterday and is selling at 11 cents per pound.

Today will about finish up the large number of arrivals which will probably not be seen in such quantities again before next week.

Many of the vessels in today are from off shore and have good trips, a portion of which will be brought down here to the splitters.

The fares and prices in detail are:

Boston Arrivals.

Sch. Olivia Sears, 8000 pollock.
Sch. Indiana, 5000 fresh mackerel count, 5000 pollock, 1000 shad, 12 bbls. bluebacks.
Sch. Geraldine, 1000 cod, 4000 pollock.
Sch. Ignatius Enos, 3000 cod, 1000 hake, 1500 pollock.
Sch. Athena, 18,000 haddock, 17,000 cod, 1000 pollock.
Sch. Washakie, 35,000 haddock, 9000 cod, 12,000 hake.
Sch. Jessie Costa, 12,000 haddock, 16,000 cod, 9000 hake.
Sch. Genesta, 26,000 haddock, 4000 cod, 10,000 hake.
Sch. Mina Swim, 19,000 cod.
Sch. E. C. Hussey, 18,000 cod.
Sch. Flora J. Sears, 30,000 haddock, 27,000 cod, 1 swordfish.
Sch. Georgianna, 25,000 haddock, 6000 cod, 8000 hake.
Sch. Benjamin F. Phillips, 36,000 haddock, 10,000 cod, 4000 hake.
Sch. Joseph P. Johnson, 5000 haddock, 15,000 cod, 4000 hake.
Sch. Rose Cabral, 6000 haddock, 22,000 cod, 4000 hake.
Sch. Marian, 7000 pollock.
Sch. Frances V. Sylva, 20,000 haddock, 6000 cod, 10,000 hake.
Sch. Alcina, 6000 haddock, 16,000 cod.
Sch. Regina, 47,000 haddock, 10,000 cod, 6000 hake.
Sch. Ralph F. Irving, 27 swordfish.
Sch. Matchless, 18,000 haddock, 12,000 cod, 8000 pollock.
Sch. Evelyn L. Thompson, 12,000 cod, 45,000 hake, 40,000 cusk.
Haddock, \$1.50 to \$1.75 per cwt.; large cod, \$2.50 to \$4; market cod, \$1.80 to \$2.25; hake, \$1.50 to \$2.50; pollock, \$1.75 to \$2; swordfish, 11½¢ per lb.; shad, 10¢; mackerel, 37¢ each.

August 24

NON-RESIDENT FISHERMEN ON AMERICAN VESSELS.

Counsel Elder Presents United States Argument on Question Two.

Says Newfoundland Laws Not Before Hague Tribunal.

After discussing the question of the effect of the Newfoundland fishery regulations as regards American fishermen, Samuel J. Elder, Esq., took up question two as submitted to the Hague tribunal, "Have the inhabitants of the United States, while exercising their fishing rights under the treaty of 1818, a right to employ as members of their crews persons not inhabitants of the United States?"

Referring to the claim that the fishery right was conferred on the inhabitants of the United States, Mr. Elder claimed that this was only partially correct. Fishing vessels can have no rights and no duties, and Secretary Root protested against the Newfoundland government treating vessels by characterizing them or putting them in classes as fishing vessels or trading vessels.

But that does not go to the root of the question, because when you go back to inhabitants, no rights were conferred by the treaty on the inhabitants. The right was conferred upon the United States. The plenipotentiaries who are named in the first paragraph of the treaty were the plenipotentiaries of the United States, and not the representatives of any inhabitants or any fishing interests or anything of that sort. So when it comes to the renunciations clause, it is not the fishermen who renounce. It is the United States which renounces.

So that to begin with, we must get back to get the real analysis of the question to the fact that the United States is the entity with which this contract was made and in which this right resides. Inhabitants of the United States, without the authorization of the United States, have absolutely no power to exercise that liberty.

Americans Have No Right to Fish on a Foreign Vessel.

An American on board a Norwegian vessel, or a French or Spanish vessel, is not entitled to fish under this treaty. A vessel of one of those countries, Norway, for instance, with a crew largely composed of Americans, cannot sail up into those waters and say, "We have Americans on board here; they have the right to fish over the side of this vessel for us, and we to carry their catch to Norway." Instantly that right would be challenged.

And who could intervene? Certainly not the United States, because the United States had never authorized a Norwegian vessel to exercise the privileges accorded to the United States. Clearly Norway could not, because Norway would have no treaty relations on that subject with Great Britain at all. We must have a step intervening before we reach the inhabitants of the United States, and that is the authorization by the United States of the right to exercise that liberty.

Claim of Sir Robert Finlay an Absurdity.

The logic of his position, or rather the necessities of his position, compel Sir Robert Finlay, in the argument of the case, to insist that it is the inhabitant of the United States who is to be considered, and even though he were on board a German vessel, or on board a Norwegian vessel, he could fish; and that the only importance of the question of the nationality of the ship is the probability that there would be foreigners on board the ship, who might participate in the fishing with the inhabitants of the United States who were on board.

That doctrine is absolutely inadmissible; it is absolutely inconceivable that the framers of this treaty, in dealing with the United States, ever agreed that ships of a foreign flag should be the ones in which and from which the fishing was conducted, and that the argument results in an absolutely necessary absurdity on Great Britain's part.

The use of an American vessel, which had its authority, and received that properly, to fish for a foreigner, would in my judgment be outside the authorization of the country itself.

United States vessels, in order to be registered, must be owned by the inhabitants of the United States. If any single fraction of the vessel ceases to be owned by citizens of the United States, if it is a sixty-second part, and those shares are divided up into infinitesimal points at times—if it ceases to be owned by a citizen of the United States, thereupon the vessel ceases to be entitled to register, and if it is under register at that time, the register is null and void.

Interpretation of Newfoundland Statutes Not Before the Tribunal.

Mr. Elder further called the attention of the tribunal to the maze in which the tribunal would find itself if it sought to determine the effect of all the Newfoundland statutes, because these statutes do not run to a single point. They run to a great many points.

In the first place to summarize the statute of 1905, we say that the questions that would be involved under a consideration of that statute and of the statute of 1906—and by the way,

I ought to add to that that they now claim a construction of the statute of 1906 which Great Britain itself never would allow to come into operation—they ask you to say that the United States has agreed that you should determine concerning the statute of 1906 when Great Britain and Newfoundland had never agreed to it, and, when the United States had never discussed that statute with them at all.

It seems to him to show that the questions are these:

First, the right of Newfoundland to prohibit its own inhabitants from shipping within its jurisdiction.

Second, to ship outside its jurisdiction,—a thing which the modus permitted.

Third, the right of Newfoundland to prohibit its own inhabitants from leaving the colony for the purpose of becoming inhabitants of the United States,—as they undoubtedly are constantly doing, because they have a prohibition in this statute of their own inhabitants coming away from there to ship on American vessels. That raises the further question, whether it could prohibit their inhabitants from going away for the purpose of acquiring residence in the United States and then shipping, because it might easily be held that one step was included in the other.

Fourth,—and this relates to the United States, to prohibit United States vessels from shipping or attempting to ship Newfoundlanders within the jurisdiction of Newfoundland.

Fifth, whether the Newfoundland legislature can prohibit its own inhabitants from shipping at Sydney or in the jurisdiction of Canada.

Sixth, whether it can prohibit the United States from shipping persons who are not Newfoundlanders within its jurisdiction. Because, you see, this prohibition is against shipping crews. So that if a United States seaman or fisherman was down there at Bay of Islands, and a man was needed aboard of any vessel, under the terms of this statute he could not ship within the jurisdiction of Newfoundland.

Seventh, whether it can prohibit the shipping of Canadian or other British subjects outside of the jurisdiction; because it prohibits all British subjects from shipping.

Why These Questions Are Not Subjects of Arbitration.

Now, we submit that the question why these things, some of which had been discussed between the two governments, were not put into this question or this treaty of arbitration, was because there was absolutely no limit to the questions that would have to be submitted.

Underlying the whole thing and most important between the two countries after it was raised, is the question of whether, in the treaty, the United States is confined to the exercise of this fishing liberty by inhabitants of the United States only.

If this tribunal decides that we are confined to inhabitants of the United States, that disposes of everything; and it is of the utmost importance that this question should be disposed of and decided.

But when it comes to anything beyond that—the interpretation of statutes—as I have already suggested, the maze into which we are led is not traversable; and the countries did not determine to put and did not put it into this arbitration.

Question two relates solely to the owner's rights under the treaty of 1818 to employ non-inhabitants, not at all to particular non-inhabitants' disqualification by the laws of their own countries to accept employment. No question is submitted to the tribunal regarding any of those other possible reasons, and no answer which the tribunal can make to this question can apply to any of those possible reasons.

Many Difficult Questions Would Arise.

If the tribunal were now called upon to pass upon the effect of a prohibition of Newfoundland against her citizens engaging in American fishing vessels, they would have to deal with a suppositious case,—a statute with the form and scope of which they are familiar, and no one can now forecast. There might be any number of difficult questions arising under such a statute.

For instance, would the prohibition apply only to Newfoundlanders within the jurisdiction of Newfoundland, or would it apply to Newfoundlanders who have left that jurisdiction. This would involve not merely the question upon which there is so wide a difference of opinion, between most Continental states and Great Britain and the United States, as to the power of a sovereign state to follow its citizens over the whole world, with prohibitions affecting them, but the question is whether a colony which is not an independent sovereign state can, in the exercise of its limited governmental control, follow its citizens in like manner.

Another question which might arise would be whether it is competent for the colony of Newfoundland to prevent its citizens from acquiring the status of inhabitants of the United States. You will remember that the statute prohibits Newfoundlanders from leaving the colony for the purpose of shipping, and that would include their leaving the colony for the purpose of acquiring a residence and then shipping.

Closing his argument upon question two, Mr. Elder said the certificate that a vessel receives is an identification of the ship as an American ship, owned by Americans, and it carries with it both the right to trade and fish.

The fact that Great Britain has been contented with the certificate issued since 1818 is the strongest possible reason why the United States should not be compelled to change it now, especially under the circumstances of stress that have been apparent in Newfoundland. At the time of the treaty of 1818 the practice not only of the United States but of Great Britain and all other countries was to employ on board ships men of various nationalities, and the treaty was made with that fact well known and understood by the negotiators.

Question Not Raised by Great Britain in Fortune Bay Case.

In the Fortune Bay case the affidavits that were before Mr. Evarts and before Lord Salisbury showed that other than inhabitants of the United States were fishing at that very time in Fortune Bay. Lord Salisbury resisted any payment to the United States on account of the interference with Americans at Fortune Bay. The correspondence was long and well-nigh acrimonious. Everything that the United States fishermen had done in violation of any colonial law was set out; everything that could be supposed to be a violation of the treaty was set out.

It was then the treaty of 1871, you will remember, but in so far as these fishing privileges are concerned, they run along side by side. The violation of the treaty that Lord Salisbury relied upon was that in the course of the fishing with a large net, which was taking fish for the entire fleet and would have taken enough fish in that one haul to fill the barrels of the entire fleet, one end of the net was made fast on the shore. His contention, in so far as interference with the treaty right was concerned, was confined to that sole and single infraction of the treaty right. For the rest, he relied upon a violation and infringement of the statutes of Newfoundland, and he never, in the whole correspondence, which disclosed that many of the officers employed were not inhabitants of the United States raised this question, or dreamed apparently that any such question could be raised as that which is raised now.

August 24

HAD BATTLE WITH SHARK.

Crew of Pollock Netter Nettie Killed It With Clubs.

The little pollock netter Nettie, which is scarcely larger than a medium sized yacht, brought in two remarkable fish at Boston Monday morning. Lying on her deck when she arrived was a long object covered with a tarpaulin, and when the latter was removed it disclosed a shark, fully 10 feet long and fat as butter. The shark had given the crew of the little fisherman a tussle, and was captured only after it had been beaten into subjection.

The Nettie's nets are left out for the pollock to entangle themselves in, and when the men went to haul them yesterday they found that there was something bigger than a pollock in one of them, and in hauling it they had great difficulty, and when they tried to get it out of water the shark, which had become entangled in its meshes, fought for liberty, and after trying every other method the crew were obliged to attack it with clubs, and beat it about the head to get it on board.

While the men were waiting at another time for the hour to haul the nets they threw over headlines to fish, and one of them got a big halibut which weighed out 182 pounds when landed this morning. The fish was perfect, and brought a fancy price.

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Sighted Sea Serpent.

The captain of the fishing steamer Bonita, which arrived at Portland on Monday with 100 barrels of sardine herring, reports that when off the Brown Cow, just this side of Small Point, on Saturday last, he passed within 50 yards of an immense sea serpent, apparently 80 to 90 feet in length, the color of the fish being black with large white spots. The serpent was plainly visible for several minutes, and evidently has a penchant for the Bonita, as her captain was the first to see it in the summer of 1903.

Fishing Fleet Movements.

Sch. Ingomar and Arethusa arrived at Liverpool Saturday after bait and ice, and cleared for the fishing ground.

Sch. Georgie Campbell arrived and cleared from Shelburne on Saturday.

Good Stock

Sch. Juno, Capt. John G. Stream, on a two weeks Georges halibut trip stocked \$2300, while the crew shared \$70.10 each. Capt. Stream is continuing the fine record he made in this fishing last season when he was high line.

Fish in Japan.

The Japanese eat more fish than any other people in the world. With them meat eating is a foreign innovation, confined to the rich, or rather to those rich people who prefer it to the national diet.